

06-06-01

A

Patent  
Attorney Docket: 258/278



To: Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231



### NEW APPLICATION TRANSMITTAL - UTILITY

Sir:

Transmitted herewith for filing is a **utility** patent application:

**Inventor(s):** Gary E. Sullivan, Mike J. Giffin, Jeff LaSor, Mark D. Goddard, Kent M. Bowling

**Title:** SYSTEM AND METHOD FOR LEVERAGING NETWORKED COMPUTERS TO VIEW WINDOWS BASED FILES ON LINUX PLATFORMS

#### I. PAPERS ENCLOSED HEREWITH FOR FILING UNDER 37 CFR § 1.53(b):

12 Page(s) of Written Description  
11 Page(s) Claims  
1 Page(s) Abstract  
6 Sheets of Drawings ☐ Informal ☒ Formal

#### II. ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:

☒ Declaration  
☒ Power of Attorney ☒ Separate ☐ Combined with Declaration  
☒ Assignment to Gateway, Inc. and assignment cover sheet  
☐ Certified Copy of Priority Document No(s):  
☐ Information Disclosure Statement w/PTO 1449 ☐ Copy of Citations  
☐ Preliminary Amendment  
☒ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
☒ Return Postcards (2)  
☐ Other:

OC-83480.1

#### CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EL622504275US  
Express Mail Label No.

June 04, 2001  
Date of Deposit

Jodie Davis  
Name of Person Mailing Paper

Jodie Davis  
Signature of Person Mailing Paper

**III. PRIORITY**

☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. § 119.

**IV. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:**

☐ Applicant claims small entity status pursuant to 37 CFR § 1.27

<b>BASIC FILING FEE:</b>							\$710.00
Total Claims	40	-	20	=	20	x \$18.00	\$360.00
Independent Claims	8	-	3	=	5	x \$80.00	\$400.00
Multiple Dependent Claims	\$270	(if applicable)				<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>							\$1,470.00
Reduction by ½ for Filing by Small Entity, if applicable, as asserted above. Note 37 CFR §§ 1.9, 1.27, 1.28.							\$0.00
Misc. Filing Fees (Recordation of Assignment -- \$40)							\$40.00
<b>TOTAL FEES DUE HERewith</b>							\$1,510.00

**V. METHOD OF PAYMENT OF FEES**

- ☐ A check in the amount of \_\_\_\_\_.
- ☒ Charge Gateway, Inc.'s Deposit Account No. **50-0439** in the amount of amount of \$1,510.00.
- ☐ This application is being filed without fee or Declaration under 37 CFR § 1.53.

**VI. AUTHORIZATION TO CHARGE FEES**

The Commissioner is authorized to credit any overpayment and to charge any underpayment to Gateway, Inc.'s Deposit Account No. **50-0439** for the following:

- ☒ 37 CFR § 1.16 – (Filing fees and excess claims fees)
- ☒ 37 CFR § 1.17 – (Any application processing fees)
- ☒ 37 CFR § 1.21 – (Assignment recording fees)

**VII. CORRESPONDENCE ADDRESS**

Please send all correspondence to Customer Number 22249:



LYON & LYON LLP  
Suite 4700  
633 W. Fifth Street  
Los Angeles, CA 90071  
(213) 489-1600

Please direct all inquiries to Ivan Posey, at the above customer number.

Respectfully submitted,

LYON & LYON LLP

Dated: June 4, 2001

By: Eugene R. Worley

Eugene R. Worley  
Reg. No. 47,186

PTO/SB/35 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Gary E. Sullivan et al.
Title	System and Method for Leveraging Networked Computers to View Windows Based Files on Linux Platforms
Atty Docket Number	258/278

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

06/04/2001

Date

*Eugene R. Worley*

Signature

Eugene R. Worley

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Washington, DC 20231